

Remarks

As stated above, Applicants appreciate the Examiner's thorough examination of the subject application and request reexamination and reconsideration of the subject application in view of the preceding listing of claims and the following remarks.

In the subject application, claims 1-4, 6, 8-9, 28-29 and 31-49 are pending, of which claims 1, 35, 36, and 49 are independent claims, and claims 2-4, 6, 8-9, 28-29, 31-34, and 37-48 are dependent. Applicants have made no amendment with this response.

Claim Rejections – 35 U.S.C. § 103

Claims 1-4, 6, 28-29, 31-40 and 43-49 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Lineberry et al. (U.S. Patent Application Publication No. 2002/0169649 A1, hereinafter "Lineberry") in view of Marpe et al. (U.S. Patent Application Publication No. 2002/0184191 A1, hereinafter "Marpe"). Applicants respectfully traverse this rejection.

Applicants respectfully submit that Lineberry and Marpe, whether viewed separately or in combination, do not disclose each and every limitation of Applicants' independent claim 1. More specifically, Applicants respectfully submit that Lineberry and Marpe do not teach or suggest at least the limitations (i) "providing communications between a plurality of connected source systems, via one or more programmable machines, the connected source systems including information systems, of at least two enterprises, *the connected source systems being connected via base system connectors using a markup language*" and (ii) "generating, via at least one computing device associated with the portal, an individually configurable user interface remotely connected to said single logical physically distributed information system with *templates interacting with metadata to format information according to preset conditions, the*

metadata describing roles, work sets, and personalization information and interacting with the application logic" as recited in Applicants' independent claim 1. *See* Applicants' independent claim 1; emphasis added. Applicants' independent claim 1 is provided below for the Examiner's convenience:

1. (Previously Presented) A computer-implemented method comprising:

*providing communications between a plurality of connected source systems, via one or more programmable machines, the connected source systems including information systems, of at least two enterprises, **the connected source systems being connected via base system connectors using a markup language**;*

configuring the information systems of the at least two enterprises to operate as a single logical physically distributed information system across the information systems of the at least two enterprises using processes, modules, application logic, and framework stored in a memory that conform to an architecture supported by a platform including a portal through which data is requested and received by clients;

*generating, via at least one computing device associated with the portal, an individually configurable user interface remotely connected to said single logical physically distributed information system **with templates interacting with metadata to format information according to preset conditions, the metadata describing roles, work sets, and personalization information and interacting with the application logic**;* and

populating, via at least one processor, said individually configurable user interface with monitoring information and features regarding a corporate integration on said individually configurable user interface, comprising making a deal selection choice, planning an integration, executing a transaction, executing an integration, and making a post-integration assessment. (*See* Applicants' independent claim 1; emphasis added).

Applicants note that in order for the references cited to render independent claim 1 unpatentable under 35 U.S.C. § 103, the references cited must disclose each and every limitation in their *entirety*. Further, Applicants note that in the response to the Non-Final Office Action dated December 24, 2009 (the "previous action"), Applicants pointed out that Lineberry and Marpe failed to teach at least the "providing . . ." and "generating . . ." limitations of Applicants' independent claim 1, highlighted above. *See* the previous response, pages 19-23. Applicants mentioned that they were unable to find any discussion of a "*markup language*" as recited in the

"providing . . . " limitation or "*metadata*" as recited in the "generating . . . " limitation of Applicants' independent claim 1 in either of the cited references. Applicants respectfully maintain that Lineberry and Marpe do not teach or suggest either of these features. Further, Applicants respectfully submit that the Examiner has not properly cited new references that remedy these deficiencies of Lineberry and Marpe.

First, the Examiner appears to believe that "it is well known and would have been obvious to one of ordinary skill in the art at the time of the invention to interpret metadata to be: 'data that describes other data' ". *See* the subject action, page 5. It is Applicants' understanding that the Examiner is citing the *Webster New World™ Computer Dictionary* accessed at the webpage <<http://www.credoreference.com/entry/webstercom/metadata>> (hereinafter "Webster") as disclosing "*metadata*". However, Applicants respectfully submit that, as indicated by the Examiner, this definition appears to be from 2003. *See* the subject action, page 5. Further, Applicants respectfully submit that the 2003 version of this dictionary appears to be the 10th edition, which appears to have been published, at the earliest, on March 15, 2003. *See* <http://www.amazon.com/Websters-World-Computer-Dictionary-Tenth/dp/076452478X#reader_076452478X>. Applicants note that while the filing date of the subject application is December 31, 2003, the subject application claims priority to provisional application no. 60/455,087, filed on March 14, 2003. Therefore Applicants respectfully submit that the Webster reference cannot be cited against the subject application. As such, Applicants respectfully submit that the cited references (i.e., Lineberry and Marpe) do not teach or suggest at least "*metadata*" as recited in the "generating . . . " limitation of Applicants' independent claim 1.

Even if the Webster reference can be cited against the subject application, Applicants respectfully submit that this reference, in combination with Lineberry and Marpe, does not teach or suggest the limitation "generating, via at least one computing device associated with the portal, an individually configurable user interface remotely connected to said single logical physically distributed information system with *templates interacting with metadata to format information according to preset conditions, the metadata describing roles, work sets, and personalization information and interacting with the application logic*" as recited in Applicants' independent claim 1. Further, Applicants note that the Examiner has not properly applied this reference against the claims in combination with the other references cited to show that the claims can be rejected under 35 U.S.C. § 103.

Second, the Examiner appears to rely on the same reference (i.e., Webster) to teach or suggest "*markup language*" as recited in the "providing . . . " limitation of Applicants' independent claim 1. *See* the subject action, page 8. For the same reasons discussed above, Applicants respectfully submit that the Webster reference cannot be cited against the subject application. As such, Applicants respectfully submit that the cited references (i.e., Lineberry and Marpe) do not teach or suggest at least "*markup language*" as recited in the "providing . . . " limitation of Applicants' independent claim 1. Even if the Webster reference can be cited against the subject application, Applicants respectfully submit that this reference, in combination with Lineberry and Marpe, does not teach or suggest the limitation "providing communications between a plurality of connected source systems, via one or more programmable machines, the connected source systems including information systems, of at least two enterprises, *the connected source systems being connected via base system connectors using a markup language*" as recited in Applicants' independent claim 1. Further, Applicants note that the

Examiner has not properly applied this reference against the claims in combination with the other references cited to show that the claims can be rejected under 35 U.S.C. § 103.

Third, if the Examiner is taking *official notice* that "*markup language*" as recited in the "providing . . . " limitation and/or "*metadata*" as recited in the "generating . . . " limitation of Applicants' independent claim 1 were well known in the art, Applicants respectfully submit that this *official notice* is improper. Applicants remind the Examiner of MPEP 2144.03, which states, in part:

Official notice without documentary evidence to support an examiner's conclusion is permissible only in some circumstances. **While "official notice" may be relied on, these circumstances should be rare when an application is under final rejection or action under 37 CFR 1.113.** Official notice unsupported by documentary evidence should only be taken by the examiner where the facts asserted to be well-known, or to be common knowledge in the art are capable of instant and unquestionable demonstration as being well-known. *See* MPEP 2144.03; emphasis added.

Applicants respectfully submit that, in light of the Examiner's improper use of the Webster reference above, "*markup language*" as recited in the "providing . . . " limitation and/or "*metadata*" as recited in the "generating . . . " limitation of Applicants' independent claim 1 *were not* "capable of instant and unquestionable demonstration as being well-known" at the time of the invention. Therefore, Applicants respectfully submit that if the Examiner is taking *official notice*, it is improper.

Consequently, Applicants respectfully submit that the cited references do not teach or suggest each and every limitation of Applicants' independent claim 1. As such, Applicants respectfully submit that claim 1 of the subject application is in condition for allowance. Further, Applicants respectfully submit that claims 35, 36, and 49 include limitations similar to that of claim 1. Therefore, Applicants respectfully submit that claims 35, 36, and 49 are in condition for allowance as well. Since the remaining claims depend, either directly or indirectly, from claims

1, 35, 36, or 49, Applicants respectfully submit that those claims are also in condition for allowance. Withdrawal of the rejection under 35 U.S.C. § 103 is respectfully requested.

Applicants note that Claims 8-9 and 41-42 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lineberry in view of Marpe and further in view of Simon (U.S. Patent Application Publication No. 2003/0113700 A1, hereinafter "Simon") and/or Sanches (U.S. Patent Application Publication No. 2003/0018510 A1, hereinafter "Sanches"). Applicants respectfully submit that these rejections are rendered moot in light of the discussion above.

Having overcome all of the outstanding rejections, Applicants respectfully submit that the subject application is now in condition for allowance. Applicants believe that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper.

In light of the above remarks, Applicants respectfully assert that the subject application is in condition for allowance. While Applicants respectfully assert that the subject application is now in condition for allowance, the Examiner is invited to telephone Applicant's attorney (617-305-2129) to facilitate prosecution of this application. Please apply any charges or credits to deposit account 50-2324.

Respectfully submitted,

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